

RESPONSE TO COMMENTS

REGARDING THE REISSUANCE OF THE FOLLOWING NPDES PERMIT

MASSACHUSETTS DIVISION OF FISHERIES AND WILDLIFE
SANDWICH STATE FISH HATCHERY, MA0110027

Introduction:

The U.S. Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection (MassDEP) solicited public comments from July 25, 2007 through August 23, 2007 on the draft National Pollutant Discharge Elimination System (NPDES) permit to be issued to the Massachusetts Division of Fisheries and Wildlife for its Sandwich State Fish Hatchery (Sandwich).

As public noticed, the Draft NPDES Permit is for the discharge of fish culture wastewater. The facility discharges to Dock Creek, a tributary to Sandwich Harbor and Cape Cod Bay.

During the public-notice (comment) period EPA-New England received comments from the Massachusetts Division of Marine Fisheries.

In accordance with the provisions of 40 C.F.R. §124.17, this document presents EPA's and MassDEP's responses to comments received on the draft NPDES permit and any appropriate changes made to the public-noticed draft permit as a result of the comments. The final permit is substantially similar to the draft permit that was available for public comment. EPA did, however, revise certain requirements in the permit to provide additional clarification and as a result of the comments raised. These revisions are summarized below and are reflected in the Final Permit.

Changes Made to the Final Permit

1. The Final Permit has been modified to require that the BMP Plan be sent to the MassDEP within 120 days of the effective date of the permit.
2. The Final Permit has been modified to require quarterly monitoring for BOD, Total Suspended Solids, Ammonia, Total Nitrogen, and Phosphorus during periods of normal operation (not during cleaning operations).
3. The Final Permit clarifies that the copies of all technical information associated with medications and chemicals used for disease/parasitic control and complementary aquatic toxicology and biological pollution information be provided to the appropriate agencies within 120 days after the effective date of the permit.

Comments submitted by the Massachusetts Division of Marine Fisheries.

COMMENT NO. 1

The effluent limitations and control measures contained in the current draft permit are adequate for the protection of marine fishery resources from impacts associated with chemical and/or biological agents that may be contained in the effluent.

RESPONSE NO. 1

EPA notes this general support for the permit conditions.

COMMENT NO. 2

Under Part I.E., a copy of all technical information associated with medications and chemicals used for disease/parasitic control and complementary aquatic toxicology and biological pollution information is to be sent to *Marine Fisheries*. The permit does not specify a timeframe for sending the information, and we request the information be sent within one hundred and twenty (120) days of the effective date of the permit.

RESPONSE NO.2

EPA agrees that adding the 120 day timeframe provides appropriate additional clarity, and has added it to the permit.